

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

ROBERT WELLMAN, JOAN
WELLMAN, DANIEL B. BARCUS, and
ALCINDA BARCUS,

Plaintiffs,

vs.

LACEY ORCUTT, ACTING
DIRECTOR OF GLACIER COUNTY
FARM SERVICE AGENCY and
THOMAS J. VILSACK, ACTING
SECRETARY OF UNITED STATES
DEPARTMENT OF AGRICULTURE,

Defendants.

CV 21-30-GF-BMM

ORDER

Before the Court is the parties' joint motion to vacate the preliminary pretrial conference set for May 12, 2022, and to stay the case for a period of three months. The parties request this stay in order to pursue resolution of this matter outside the course of litigation.

District courts have discretion to stay proceedings when appropriate. *Dependable Hwy. Exp., Inc. v. Navigators Ins. Co.*, 498 F.3d 1059, 1066 (9th Cir. 2007). A stay may be inappropriate "if there is even a fair possibility that the stay will work damage to someone else." *Id.* (citing *Landis v. N. Am. Co.*, 299 U.S. 248, 255 (1936)). Indefinite stays are likewise disfavored. *Id.*

The Court finds that the requested stay is appropriate under the circumstances. The parties represent, and the Court agrees, that neither party will be harmed by staying this case pending exploration of settlement options. Likewise, the proposed three-month initial duration of the stay avoids the disfavored practice of staying cases indefinitely.

Accordingly, IT IS ORDERED that the joint motion (Doc. 20) is GRANTED. The Court hereby VACATES the May 12, 2022 preliminary pretrial conference and STAYS this case until August 10, 2022. On or before this date, the parties shall file either a status report apprising the Court of the progress of settlement or a stipulation of dismissal.

DATED this 11th day of May, 2022.

A handwritten signature in blue ink, reading "Brian Morris".

Brian Morris, Chief District Judge
United State District Court